

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Kathleen Maraden,

Civil 03-2618 JMR/FLN

Plaintiff,

v.

REPORT & RECOMMENDATION

Jo Anne B. Barnhart, Commissioner  
of Social Security,

Defendant.

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1. This case was remanded to the Social Security Administration on February 27, 2004, for further consideration by the Commissioner. After completion, the Defendant made a motion to reopen the case on January 24, 2006, and filed an answer together with the administrative record.

2. On August 2, 2006, Chief Judge Rosenbaum issued an order reopening this case and ordered Plaintiff to respond to the answer, in accordance with Local Rule 7.2(b), within 60 days of the date of his order.

3. To date, Plaintiff has not complied with the terms of Chief Judge Rosenbaum's order.

RECOMMENDATION

Based upon the foregoing, IT IS HEREBY RECOMMENDED that the Court issue an order dismissing this case for lack of prosecution.

DATED: October 31, 2006.

s/ Franklin L. Noel

FRANKLIN L. NOEL

United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **November 20, 2006**, written objections which specifically identify the portions of the proposed findings or recommendations

to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under the rules shall be limited to 3500 words. A judge shall make a de novo determination of those portions to which objection is made.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.